

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BEATRICE EDWARDS,

No. C 10-03755 CRB

Plaintiff,

ORDER TO SHOW CAUSE

v.

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.

On November 5, 2010, *pro se* Plaintiffs Carl and Beatrice Edwards appeared before the Court at a motion hearing on Defendant Citibank's Motion to Compel Arbitration, dckt. no. 21. They had not (and still have not) filed an Opposition to that Motion, but argued at the motion hearing that the case was improperly removed from state court. The Court instructed Plaintiffs to file within 10 days the basis for their objections to removal, and reminded Plaintiffs to timely file their Oppositions to the Motions to Dismiss filed by Defendants Mercury Insurance Group, dckt. no. 30, and Grace Fritts, dckt. no. 32, both of which were calendared for December 3, 2010.

Yesterday, well beyond the 10 day mark, Plaintiffs filed the basis for their objections to removal. See dckt. no. 36. Plaintiffs have still not filed their Oppositions to the two Motions to Dismiss. Those Oppositions were due on November 12, 2010. See Civil Local

1 Rule 7-3 (“Any opposition to a motion must be served and filed not less than 21 days before
2 the hearing date.”).

3 Plaintiffs are therefore ORDERED to show cause why their case should not be
4 dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). To the
5 extent that Plaintiffs wish the Court to consider any additional evidence or written argument,
6 such material shall be filed by noon on Monday, November 29, 2010. The Court will hear
7 argument on this Order, as well as the pending Motions, on December 3, 2010 at 10:00 am.

8 **IT IS SO ORDERED.**

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11 Dated: November 23, 2010



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CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE